

105TH CONGRESS
2D SESSION

H. R. 3895

To provide grants to improve firearms safety, and to provide for the study of the effects of developing firearms technology on firearms safety.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1998

Mrs. KENNELLY of Connecticut introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide grants to improve firearms safety, and to provide for the study of the effects of developing firearms technology on firearms safety.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “21st Century Firearm
5 Technology and Safety Act of 1998”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) the National Institute of Justice Science
9 and Technology program has played a critical role in
10 improving law enforcement technology;

1 (2) the National Institute of Justice Science
2 and Technology program has successfully developed
3 standards for soft body armor which have been criti-
4 cal to saving the lives of law enforcement personnel;

5 (3) the National Institute of Justice Science
6 and Technology program is assisting in the success-
7 ful development of personalized firearms to improve
8 firearms safety; and

9 (4) the National Institute of Justice should con-
10 tinue to focus its resources on improving technology
11 to assist law enforcement in reducing crime, and on
12 making technological improvements in the safety of
13 firearms.

14 **SEC. 3. GRANTS TO IMPROVE GUN SAFETY.**

15 (a) IN GENERAL.—The Director of the National In-
16 stitute of Justice, in consultation with appropriate person-
17 nel of the National Institute of Justice who are involved
18 in firearms technology and weapons technology matters,
19 shall make grants to reduce firearms violence through im-
20 provements in firearms safety technology, weapons detec-
21 tion technology, and other technology.

22 (b) 3-YEAR GRANTS.—A grant awarded under this
23 section shall be paid over a period not exceeding 3 years.

24 (c) LIMITATIONS ON AUTHORIZATION OF APPRO-
25 PRIATIONS.—For grants under this section, there are au-

1 thorized to be appropriated not more than \$20,000,000
2 for each of fiscal years 1998 through 2002.

3 **SEC. 4. INDEPENDENT PANEL ON FIREARMS SAFETY.**

4 (a) ESTABLISHMENT.—There is established in the
5 Department of Justice the Independent Panel on Fire-
6 arms Safety (in this section referred to as the “Panel”).

7 (b) DUTIES.—

8 (1) IN GENERAL.—The Panel shall—

9 (A) research how technology can be used
10 in the area of weapons safety improvements to
11 reduce violence; and

12 (B) direct, oversee, and review the work of
13 the Technical Study Group on Firearms Safety.

14 (2) REPORTS.—

15 (A) REPORT TO CONGRESS ON THE FIND-
16 INGS OF THE TECHNICAL STUDY GROUP ON
17 FIREARMS SAFETY.—Within 90 days after re-
18 ceipt of the report submitted pursuant to sec-
19 tion 5(b)(2), the Panel shall submit to the Con-
20 gress a report on the findings of the Technical
21 Study Group on Firearms Safety. If the report
22 submitted pursuant to such section contains a
23 recommendation for standards governing the
24 design of firearm safety locks, the Panel shall

1 forward the recommendation to the National
2 Institute of Justice.

3 (B) ANNUAL REPORTS.—Within 1 year
4 after the Panel is duly organized and annually
5 thereafter, the Panel shall submit to the Con-
6 gress a written report detailing the findings of
7 the Panel and making recommendations on
8 such firearms safety improvements as the Panel
9 considers appropriate.

10 (c) MEMBERSHIP.—The Director of the National In-
11 stitute of Justice, in consultation with the Attorney Gen-
12 eral, shall appoint to the Panel at least 1 individual from
13 each of the following categories:

14 (1) Representatives from the National Institute
15 of Justice.

16 (2) Law enforcement experts.

17 (3) Representatives from consumer product
18 safety organizations.

19 (4) Representatives of firearms manufacturers.

20 (5) Injury prevention specialists.

21 (6) Firearms technology experts.

22 (7) Experts in other relevant areas.

23 (d) TERMS.—

24 (1) IN GENERAL.—Each Panel member shall be
25 appointed for the life of the Panel.

1 (2) VACANCIES.—A vacancy in the Panel shall
2 be filled in the manner in which the original appoint-
3 ment was made.

4 (e) COMPENSATION.—

5 (1) RATES OF BASIC PAY.—Panel members
6 shall serve without pay.

7 (2) PROHIBITION OF COMPENSATION OF FED-
8 ERAL EMPLOYEES.—Members of the Panel who are
9 full-time officers or employees of the United States
10 may not receive additional pay, allowances, or bene-
11 fits by reason of their service on the Panel.

12 (3) TRAVEL EXPENSES.—Notwithstanding
13 paragraphs (1) and (2), each Panel member shall re-
14 ceive travel expenses, including per diem in lieu of
15 subsistence, in accordance with sections 5702 and
16 5703 of title 5, United States Code.

17 (f) PROCEDURE.—

18 (1) CHAIRPERSON.—The Director of the Na-
19 tional Institute of Justice shall designate a Panel
20 member who is a representative of the National In-
21 stitute of Justice to be the Chairperson of the Panel
22 (in this Act referred to as the “Chairperson”).

23 (2) ACTING CHAIRPERSON.—The Panel mem-
24 bers, by majority vote, shall select a Panel member

1 to serve as the acting Chairperson when the Chair-
2 person is unable to so serve.

3 (3) MEETINGS.—The Panel shall meet at the
4 call of the Chairperson.

5 (4) QUORUM.—A majority of Panel members of
6 the Panel shall constitute a quorum but a lesser
7 number may hold hearings.

8 (g) PROFESSIONAL, ADMINISTRATIVE, AND TECH-
9 NICAL SUPPORT.—The Attorney General shall provide the
10 Panel with the administrative, professional, and technical
11 support required by the Panel to carry out the duties of
12 the Panel under this Act.

13 (h) POWERS.—

14 (1) HEARINGS AND SESSIONS.—For the pur-
15 pose of carrying out this section, the Panel may,
16 with the advice and consent of the Attorney General
17 and the Director of the National Institute of Justice,
18 hold such hearings, sit and act at such times and
19 places, take such testimony, and receive such evi-
20 dence as the Panel considers appropriate.

21 (2) OBTAINING OFFICIAL DATA.—Subject to
22 other law, the Panel may secure directly from any
23 department or agency of the United States informa-
24 tion necessary to enable it to carry out this Act. On
25 request of the Chairperson, the head of that depart-

1 ment or agency shall furnish that information to the
2 Panel.

3 (3) **MAILS.**—The Panel may use the United
4 States mails in the same manner and under the
5 same conditions as other departments and agencies
6 of the United States.

7 (i) **PRESERVATION OF CONFIDENTIALITY.**—Section 6
8 of the Cigarette Safety Act of 1984 shall apply to informa-
9 tion provided to the Panel in the same manner in which
10 such section applies to information provided to the Inter-
11 agency Committee on Cigarette and Little Cigar Fire
12 Safety.

13 (j) **TERMINATION.**—

14 (1) **IN GENERAL.**—The Panel shall terminate 5
15 years after the date the Panel is duly organized.

16 (2) **INAPPLICABILITY OF TERMINATION RULE**
17 **IN THE FEDERAL ADVISORY COMMITTEE ACT.**—Sec-
18 tion 14(a)(2)(B) of the Federal Advisory Committee
19 Act (5 U.S.C. App.; relating to the termination of
20 advisory committees) shall not apply to the Panel.

21 **SEC. 5. TECHNICAL STUDY GROUP ON FIREARMS SAFETY.**

22 (a) **ESTABLISHMENT.**—There is established in the
23 Department of Justice the Technical Study Group on
24 Firearms Safety (in this section referred to as the “Tech-
25 nical Study Group”).

1 (b) DUTIES.—

2 (1) IN GENERAL.—Subject to the oversight and
3 review of the Independent Panel on Firearms Safety,
4 the Technical Study Group shall undertake such
5 studies and activities as the Technical Study Group
6 considers necessary to determine the technical and
7 commercial feasibility, economic impact, and other
8 consequences of developing improvements in fire-
9 arms safety technology. A main focus of the Tech-
10 nical Study Group shall be to reduce deaths and in-
11 juries resulting from the unintended or inappropriate
12 discharge of firearms. The initial research con-
13 ducted by the Technical Study Group should be a
14 study of the reliability of firearm safety locks and a
15 determination as to whether the locks prevent the
16 unintended discharge of firearms.

17 (2) REPORT.—Within 9 months after the date
18 the Technical Study Group is duly organized, the
19 Technical Study Group shall submit to the Inde-
20 pendent Panel on Firearms Safety a report on the
21 findings of the Technical Study Group. If the Tech-
22 nical Study Group determines that firearm safety
23 locks can prevent the unintended discharge of fire-
24 arms, the report shall include a recommendation for

standards governing the design of firearm safety locks.

(c) MEMBERSHIP.—

(1) APPOINTMENT.—

(A) NIJ EXPERTS.—The Director of the National Institute of Justice shall appoint to the Technical Study Group personnel and agents of the National Institute of Justice with technical or scientific expertise.

(B) NIST EXPERTS.—The Director of the National Institute of Standards and Technology shall appoint to the Technical Study Group personnel of the National Institute of Standards and Technology with technical or scientific expertise.

(C) BATF EXPERTS.—The Director of the Bureau of Alcohol, Tobacco and Firearms shall appoint to the Technical Study Group personnel of the Bureau with technical or scientific expertise.

(D) CPSC EXPERTS.—The Director of the Consumer Product Safety Commission shall appoint to the Technical Study Group personnel of the Commission with technical or scientific expertise.

1 (E) HHS EXPERTS.—The Secretary of
2 Health and Human Services shall appoint to
3 the Technical Study Group personnel of the De-
4 partment of Health and Human Services with
5 technical or scientific expertise.

6 (F) DOJ EXPERTS.—The Attorney Gen-
7 eral, shall appoint to the Technical Study
8 Group personnel of the Department of Justice
9 with technical or scientific expertise.

10 (G) INDEPENDENT EXPERTS.—The Chair-
11 person of the Independent Panel on Firearms
12 Safety shall appoint to the Technical Study
13 Group 4 individuals who are not officers or em-
14 ployees of any government, each of whom have
15 scientific or technical expertise in law enforce-
16 ment, firearms manufacturing, weapons detec-
17 tion technology, injury prevention, and con-
18 sumer safety, respectively.

19 (d) PROCEDURE.—With the advice and consent of the
20 Independent Panel on Firearms Safety, the Technical
21 Study Group may designate, from among the Technical
22 Study Group members, such persons to serve as team
23 leaders, coordinators, or chairpersons, as the Technical
24 Study Group deems necessary or appropriate to carry out
25 the functions of the Technical Study Group.

1 (e) PRESERVATION OF CONFIDENTIALITY.—Section
2 6 of the Cigarette Safety Act of 1984 shall apply to infor-
3 mation provided to the Technical Study Group in the same
4 manner in which such section applies to information pro-
5 vided to the Technical Study Group on Cigarette and Lit-
6 tle Cigar Fire Safety.

7 (f) APPLICABILITY OF CERTAIN RULES GOVERNING
8 THE INDEPENDENT PANEL ON FIREARMS SAFETY.—Sub-
9 sections (d), (e), (g), (h), and (j) of section 4 shall apply
10 to the Technical Study Group in the same manner in
11 which such subsections apply to the Independent Panel on
12 Firearms Safety.

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